Sri J. MOHAMED IMAM.—The statement is made by the Minister. So, this House is apprised of the situation. So, this House acquires the knowledge of it and a right to debate on that statement. We can agree with the Minister or reject or censure the statement made by the Minister. That privilege is vested in this House.

Sri H. SIDDAVEERAPPA.—In pursuance of the request made in the House I read out the statement. That is all.

Sri J. MOHAMED IMAM.—All requests are made in the House.

Mr. SPEAKER.—There is no convention. The statements made are not discussed. If there is necessity and if it is very urgent and the situation is acute on some such occasions discussion is open. It is left to the Government to ascertain the views of the House.

Sri Mulka GOVINDA REDDY.—We request you to permit adebate to take place during the course of this session. Many of us have seen that when important statements are made by the Prime Minister in the Parliament they are being discussed.

*Sri Kadidal MANJAPPA.—It all depends upon the question whether we have sufficient time to discuss this. As rightly pointed out by my colleague, the Home Minister, there is nothing to discuss on this statement. He has categorically stated that the Government is prepared to supply any quantity of rice and that we are prepared to open new depots wherever necessary. There is nothing more to be discussed. In view of the fact that we should not create any impression that all is not well with regard to food position, I do not think there is any necessity for any debate. It does not mean that we do not want to take into confidence the members of this House. It is all a question of time.

1-30 P.M.

Mr. SPEAKER.—Not only is it a question of time, but it also becomes a bad precedent and if you insist upon discussion at each step on such statements, it may induce Government not to make such statements hereafter.

*ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—(ಸಾಗರ ಹೊಸನಗರ).—ಸ್ವಾಮಿ,

ಆಹಾರ ಸಮಸ್ಯೆಯಮೇಲೆ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಕೊಡಬೇಕೆಂದು ಶ್ರೀಮಾ ಕೆ. ಪಟ್ಟಾಭಿರಾಮರವರು ಕೇಳಿದ್ದರ ಪ್ರಕಾರ ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಇದಲ್ಲದೆ ಕೆಲವು ಪ್ರಶ್ನೆಗಳನ್ನು ಹಾಕಿ ಅದಕ್ಕೆ ಉತ್ತರಗಳನ್ನು ಸರ್ಕಾರದವರಿಂದ ಪಡೆದಿದ್ದಾರೆ. ಆದರೆ ಸರ್ಕಾರದವರು ಈ ಪರಿಸ್ಥಿತಿಯನ್ನು ಅವರ ದೃಷ್ಟಿಯಿಂದ ನೋಡಿ ಇಲ್ಲಿ ಚರ್ಚೆ ಮಾಡುವುದು ಸೂಕ್ತವಲ್ಲವೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ವ್ಯಕ್ತಪಡಿಸಿದ್ದಾರೆ. ಅವರ ಅಭಿಪ್ರಾಯವನ್ನೇ ಈ ಸಭೆಯ ಅಭಿಪ್ರಾಯವೆಂದು ನಾನು ಒಪ್ಪುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ. ನಮ್ಮ ಸಲಹೆಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಆಡಳಿತ ಈ ವಿಚಾರದಲ್ಲಿ ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿಕೊಡಬೇಕು. ಇನ್ನೊಂದು ವಿಷಯವೇನೆಂದರೆ, ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಇಲ್ಲ ಅಂಥ ಅಭಾವ ಪರಿಸ್ಥಿತಿ ಏನೂ ಉದ್ಭವಿಸಿಲ್ಲವೆಂದು ಹೇಳಿದರು. ಅದು ಹೇಗೆ ಕಾಣುತ್ತದೆಂಬುದನ್ನು ನಾನು ಹೇಳುತ್ತೇನೆ. ಮನೆಯಲ್ಲಿ ಆಹಾರವಿಲ್ಲದ ಅನೇಕ ಸಂಸಾರಗಳಿವೆ. ಅಂಥ ಮನೆಗಳಲ್ಲಿ ಹೊರಗೆ ಹೋದಾಗ.....

Sri Kadidal MANJAPPA.—I never intended to create that impression, Sir.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಮನೆಯಲ್ಲಿ ಆಹಾರವಿಲ್ಲವೆನ್ನುವ ವಿಷಯವನ್ನು ಹೊರಗೆ ಹೇಳಬಾರದೆಂದು ತಮ್ಮ ಮಕ್ಕಳಿಗೆ ಅವರ ತಂದೆ ತಾಯಿಗಳು ಹೇಳುತ್ತಾರೆ. ಮನೆಯಲ್ಲಿರುವ ರೊಟ್ಟಿಯನ್ನೋ, ಗಂಜಿಯನ್ನೋ ಕೊಟ್ಟು, ಯಾರ ಮನೆಗೂ ಹೋಗಕೂಡದು, ಯಾರನ್ನೂ ಕೇಳಕೂಡದು ಎಂದು ಎಚ್ಚರಿಕೆಯನ್ನು ಕೊಟ್ಟಿರುತ್ತಾರೆ. ಆ ರೀತಿ ನಮ್ಮ ಮಂತ್ರಿಗಳ ಅಭಿಪ್ರಾಯವೂ ಇದ್ದಹಾಗೆ ಕಾಣುತ್ತದೆ.

Mr. SPEAKER.—I have already said that no discussion can take place on this statement. If you want a discussion then you can table a motion under our Rules of Procedure and I will consider it.

OFFICIAL RESOLUTION ON CONSTITUTION (SEVENTH AMENDMENT) BILL, 1956.

Sri Kadidal MANJAPPA (Chief Minister).—With your permission, I would like to move:

> "That this House ratifies the amendments proposed to be made to the Constitution of India by the Constitution (Seventh Amendment) Bill, 1956, as passed by the two Houses of Parliament."

Sri K. S. VASAN (Kolar Gold Fields).—Are we not resuming further consideration of the Essential Services Bill? I have already discussed with the concerned Minister; while introducing the amending Bill, he has also suggested that it was the most important amend-

ment made to the Bill. I request the Chair to defer the further consideration of this Bill till we meet for the adjourned session during next month. The Hon'ble Minister has said that he has no objection to it if the Chair would allow.

Mr. SPEAKER.—I will consider it in consultation with the portfolio Minister.

Sri Kadidal MANJAPPA.—Sir, it is unnecessary for me to go into details at this stage.

Sri B. HUTCHE GOWDA (Turuvekere).—On a point of order, Sir. There is no use in discussing or ratifying this item now and I suggest that it should not be taken for consideration. ಈ ತಿದ್ದುಪಡಿಯನ್ನು ನಾವು ratify ಮಾಡುವದರಲ್ಲಿ ಅರ್ಥವಿಲ್ಲ. ನಾವೆಲ್ಲರೂ ಇದನ್ನು ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲವೆಂದರೆ ಇದರ ಗತಿ ಏನಾಗುತ್ತದೆ? ಇದು ಮುಂಚೆ ನಮ್ಮ ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆಯಾಗಿ ಆಮೇಲೆ ಅಲ್ಲಿ ಪಾಸ್ ಆಗಬೇಕಾಗಿತ್ತು. ಅಲ್ಲಿ ಪಾಸ್ ಆದ ಮೇಲೆ ratify ಮಾಡುವುದು ಸೂಕ್ತವಲ್ಲವೆಂದು ಹೇಳುತ್ತೇನೆ.

Mr. SPEAKER.—That is the procedure that we have to adopt under the Rules.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ.—ಈಗ ಅನುಸರಿಸುತ್ತಿರುವ ಪ್ರೊಸೀಜರ್ ಸರಿ ಎಂದು ತೀರ್ಮಾನ ಮಾಡುತ್ತೀರಾ?

ಅಧ್ಯಕ್ಷರು.—ಹೌದು.

*Sri Kadidal MANJAPPA.—With your permission, I would like to draw the attention of the Hon'ble Member to article 368.

Sir, Hon'ble Members are aware that the States Reorganisation Bill has become an Act. In order to implement the scheme of the States Reorganisation, it has become necessary to amend some of the provisions in the Constitution and also the First and the Seventh Schedule. The scheme of the Reorganisation envisages the alteration of the area and the boundaries of several States and the abolition of the distinction between several categories of the States. It also envisages the creation of new States. Therefore, it has become necessary to amend the Constitution. Under article 368 of the Constitution, if the Consitution has to be amended, the procedure is that the Bill for that purpose should be initiated in either House of the Parliament and then it has to be assented to by the President. And if such amendment seeks to make any changes in certain articles of the Constitution, the amendment will have to be presented to the President for assent only after not less than one half of the States comprised in Part A and Part B of the First Schedule, ratify the amendment. Hence this resolution, Sir.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—Even that is over. More than half the number of States have assented already.

Sri Kadidal MANJAPPA.—Article 368 requires that the resolution has to be placed before the State Legislature, and the amendment should be ratified. Therefore, I have placed the resolution before this House, Sir.

Mr. SPEAKER.—Motion moved:

> "That this House ratifies the amendments proposed to be made to the Constitution of India by the Constitution (Seventh Amendment) Bill, 1956, as passed by the two Houses of Parliament."

Sri J. MOHAMED IMAM (Jagalur).—Sir, this is an important amendment of the Constitution and I have a few observations to make.

My Hon'ble friend Sri Hutche Gowda has expressed his views and also effectively pointed out that the discussion on this Bill at this stage does not serve any purpose. His idea is that these amendments ought to have been discussed in this House before they were taken up in the Parliament. It is true that under article 368, after the approval of the Parliament is obtained, the President has to obtain the views of all the States and if 50 per cent of the States agree to this amendment, then he has to give his assent. But my own feeling is this, Sir: This is a stage when many other States have already indicated their views and so practically a discussion on this Bill and the amendment does not serve any purpose. In the first place, it has been placed a little late before this House. And secondly Sir, if we offer any views at this stage, I do not think it will have any effect because this Bill has been ratified by the Parliament and here also it is going to be ratified, because the followers of the Treasury Benches here

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are akin to the followers of the Treasury Benches in the Parliament. I will not be wrong if I put it mildly that the Members of the Legislature have practically become nothing but *jo hukum wallahs*, because we have to do whatever they ask us to do. But whatever it is, in spite of that, I would like to make a few observations.

MR. SPEAKER.—This amendment is in consequence of the States Reorganisation Bill that has been approved by this House and supported by the Opposition.

SRI J. MOHAMED IMAM.—Sir, there are some amendments which are not the result of the States Reorganisation. I agree this seventh amendment is the result of the adoption of the States Reorganisation Committee Report which we all approved. We discussed the Report and we gave our assent to the States Reorganisation Bill also with certain modifications and amendments and I am glad that some of our amendments and suggestions were approved by the Parliament, specially our suggestion that the Parliamentary seats should be in the proportion of 1 : 8. But there are some aspects on which I have to make some comments.

Sir, in the constitution of the Legislative Council,—when this matter was taken up for consideration before this House, some of us opposed the continuance of the Legislative Council. We felt and most of us feel that it is a superfluous body obstructing or delaying our work. But anyhow, it was passed by a majority and the Parliament has increased the strength to 69. In the Bill which was passed here the strength of the Legislative Council of this State was mentioned as 52. But in the amendment to the Constitution the strength of the Legislative Council has been fixed at $\frac{1}{3}$ of the strength of the Legislative Assembly. So, automatically, that figure of 52 which was mentioned in the States Reorganisation Bill has now been enhanced to 69. The amendment reads as follows:

> "In clause for the word 'one-fourth' the word 'one-third' shall be substituted."

So, originally the strength of the Council could not exceed $\frac{1}{4}$ of the number of the Assembly. Now it is $\frac{1}{3}$ and it comes to 69. This increase from 52 to 69 is a point for consideration. Our view was to abolish the Council altogether. If it had to be retained, we wanted the number to be 52. Even now I feel that this Body is a superfluous one and Parliament may permit us to increase the number of the Assembly and abolish the Council.

The other point that I would like to bring to the notice of this Hon'ble House is, under the amendment the retired Judges of High Courts and Supreme Court are permitted to practise before the High Courts and the Supreme Court. Originally, they were prohibited from doing so. Sir, this is a matter which I cannot accept. High Court Judges are treated very handsomely; they are given high salaries and their term of service runs up to their sixtieth year. That is why they were not allowed to practise after their retirement. I do not know what were the reasons that influenced the Parliament to make this change. I am not for this change for various reasons. Firstly, when they retire after sixty years, they would not be able to do full justice to the work entrusted to them. Secondly, they will appear before the courts, the judges of which might have been their colleagues or even subordinates; in such an event, the judges would be put in a very embarrassing position. Thirdly, they would be depriving the younger folk—the young lawyers. So I feel that this amendment is not necessary and the judges who have enjoyed comfortable life and served till their 60th year should not be permitted to practise after their retirement, either in the High Courts or in the Supreme Court.

I now come to the other important change and that is regarding the provision made for teaching in the mother-tongue in the primary standard and the linguistic protection given. This will not, I am sure, satisfy the minorities. The provision should be at least up to secondary stage. I would like to know the definition of the linguistic minority. Suppose, there are half a dozen,

families speaking a particular language in a State, could we take them as a linguistic minority? Or should their number be a little less than the majority, are they to be called as linguistic minority? There may be one or two families in a State speaking Malayalam and there may be Telugu speaking people in a large number. So, it is necessary to define this linguistic minority. Then, I would like to know the protection given to them. It is said here that there shall be a Special Officer for linguistic minorities. The relevant article reads thus :

> "It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concerned."

Sir, this is not conclusive. I would like to know the kind of protection to be given to them. Here they say that the matter will be reported to the President, the President will report to the Parliament and the Parliament will refer it to the concerned State Government. I wish they had elaborated this clause and stated specifically how the minorities are going to be protected. I wish this clause will further be amplified.

Next I come to the pay of the High Court Judges. It is provided here that the pay of a High Court Judge will be 3,500 and to the Chief Judge Rs. 4,000. Sir, till now the pay of the High Court Judges of Part B States was Rs. 2,000 to Rs. 3,000. I do not know what effect this will have on the Judges of High Courts of Part B States.

Sri Kadidal MANJAPPA.—So far as the Judges are concerned, the effect would be very good. (Laughter).

Sri J. MOHAMED IMAM.—Sir, the pay of the Judges ranging from Rs. 3,500 to Rs. 4,000 was fixed during the British regime. At that time there were a number of European Judges and so very high salary was paid to them. Now, taking the economic condition of our country into consideration and when we are wedded to the principle of socialistic pattern of society, it is a matter for serious consideration whether there is need to pay such high salary to High Court Judges. It may be remembered Sir, that our N.G.Os. have been fighting for the enhancement of their pay. The poor officials will have to be protected. You may also remember that this House unanimously passed a resolution that the pay of any officer should not be more than one thousand rupees. The social pattern of society principle does not seem to apply to the High Court Judges and the I.A.S. Officers. Economic condition is sought to be made equal among the land owners and others but not among these Officers and the Judges. Therefore, in view of our having adopted the policy of socialistic pattern of society and in view of the poor salary that is being paid to our N.G.Os., I feel that the pay of High Court Judges should be lowered. The pay that they were paid in Part B States was quite reasonable, and that may be continued. The State is already having a deficit budget. I think the number of Judges also will increase in the High Court. If this pay Rs. of 3,500 and Rs. 4,000 has to be paid to them, the State would be committing itself to a considerable expenditure. This is a point on which I differ and I protest.

Then, Sir, there are one or two instances where the State's powers have been curtailed ; for example clause 26. Originally there were three lists. There was one list which empowered the Central Government to acquire and hold properties. Under the State list, the State could also acquire and hold properties. But under the amendment, the power that the State enjoyed has been abrogated. Till now the State had the power to acquire property and to requisition the property. But, that power has been taken away. Similarly, industries. There were some industries which the State could start of its own accord. But here under this amendment, the State

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Government cannot do it in industries like the iron industries. The iron industry can come under defence and to that extent it curtails the powers of the State. So, these are some of the matters on which I felt like expressing my views. I know our voice will not prevail, but if the Government feels it reasonable, they may communicate our views to the Centre.

*Sri A. BHEEMAPPA NAIK (Molakalmuru).—Sir, I want to make some observations on some of the points raised by Sri Imam. The question of screening the Judges of our High Court is a matter which I think requires some consideration. Would it be all right to make the Judges of our High Court to appear before a Commission and get their approval to occupy their seats as Judges? Have they not worked as Judges all these years in the High Court and worked to the satisfaction of one and all? Would it not be discouraging them to ask them to get themselves screened before a Commission and subject themselves to an onslaught? I think it is not correct. It would be better if the State Government askes the Centre to give up these things. We are quite satisfied with our Judges. If they want to put other Judges to our High Court we have no objection. But to screen them and certify to occupy the position is not correct.

2 P.M.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—I want to raise a point of order. The Hon'ble Member is using the term 'screening'. I do not know where he got that term.

Sri J. MOHAMED IMAM.—It is common talk.

Sri A. G. RAMACHANDRA RAO With all respect to our High Court, I think it will be derogatory to use the term 'screening'. Even on the previous occasion there was a selection of Judges and now we have not received any intimation as yet. I submit that we might avoid the use of the word 'screening' which, as the Hon'ble Member knows, is not proper or dignified.

Sri A. BHEEMAPPA NAIK.—If he only remembers the procedure followed recently in regard to I.A.S. Officers, he will know it.

Sri A. G. RAMACHANDRA RAO That is a different matter.

Sri A. BHEEMAPPA NAIK.—Every officer who has been selected as I.A.S. Officers they were screened. They went to Delhi and they were interviewed there. If that word wounds you, take it off: I have no objection.

Sri Kadidal MANJAPPA.—If you will kindly permit me to intervene, I want to submit to this House that we have not received any intimation regarding the so-called screening that my friend refers to.

Sri A. BHEEMAPPA NAIK.—My submission is, we do not want our High Court Judges to be screened that way. If that word 'screening' is nauseating take it off. But what we say is, our High Court Judges have discharged their duties to the best of their abilities. At this stage to screen them and to say that they are either fit or unfit, would tell upon their efficiency, their capacity, their honesty and judgment even. It is not proper, that is my feeling.

So far as Sri Mohamed Imam's observation regarding the strength of the Legislative Council, is concerned I would like to say that it is not correct to say that the strength of the Upper House will be 52 when it is stated in the Constitution that it should be 1/3 the strength of the Assembly. When we specifically amended and sought that the strength shall be 1/3 the strength of the Lower House, I do not know why this amendment escaped their notice. Even now it is possible if this House unanimously passes that the strength should be 1/3 the total strength of the Assembly, we can have it amended. From that point of view I press that the strength of the Upper House should be raised to 69.

Mr. SPEAKER.—That is also in accordance with the provisions made by the Parliament.

Sri A. BHEEMAPPA NAIK.—We are not asking anything special or extra.

Sri M. CHIKKALINGIAH (Malavalli-Scheduled Castes).—What about abolition of the Upper House?

Sri A. BHEEMAPPA NAIK.—Abolition is in the minds of Sri Chickalingiah and the Members of the Opposition. The Upper House should be there to avoid hasty legislation, where there are elders. Elders like Sri Imam also ought to be there.

Sri J. MOHAMED IMAM.—I am only 30 (*Laughter*).

Sri A. BHEEMAPPA NAIK.—So far as the formation of the new State is concerned, we only regret that areas which are contiguous and which ought to have formed part of the State, are left out. For example, Madakasira. An area of 160 miles are within the Mysore State and only 5 miles in Anantapur District. But that has been taken away.

Sri S. SRINIVASA IYENGAR (T.-Narasipur).—Sir, I want to know where is the relevancy of the Hon'ble Member's speech? We are now discussing only Constitution Amendment Bill. In the Bill there is no provision which raises the question of allocation of areas or seats or merging of parts with other States. There is no provision in this Bill.

Sri A.BHEEMAPPA NAIK.—There is no provision to refer to all this. There is no relevancy also with regard to this Bill. What I am saying is, when once the President assents to a Bill it has to be ratified. The Amendment Bill has been passed by the Parliament. It is only expressing our own opinion. I would even call it as airing out our opinion. I am therefore making only a casual observation.

So far as the provision made for linguistic minorities is concerned, I say whether the number is small or big, everyone is entitled for protection. As to what should be the number that is entitled to claim any speciality or protection, it should be left to the States concerned to determine. If there is sufficient number and if it deserves consideration, it should be considered. I am sure people who speak any language will be liberal enough to afford facilities to the linguistic minorities. So far as Mysore is concerned, we have always been liberal in giving protection to minorities. There are in the State persons who speak various languages. We have given Telugu Schools for Telugu Speaking people.

Sri B. V. NARAYANA REDDY (Bagepalli-Gudibanda).—Why do you provoke us? Has he got any sense of proportion? What is it you have given? It is high time you drop that kind of talk. (*Laughter*)

Sri A. BHEEMAPPA NAIK.—I can realise his anger. He is a linguistic minority. Therefore I have no grievance.

I do not agree that maximum or minimum number being fixed. Whatever the number, if the State feels that in a certain area protection is necessary like granting of a school, etc. it must be done. But this should be left to the States concerned to decide.

With these observations I support the Bill.

Sri K.PATTABHIRAMAN (Kolar).—Mr. Speaker, this is an occasion when we have to express our happiness that at long last some of the dreams that we conceived have become true. I do not propose to enter in detail into the several provisions, but, suffice it for me to say, to make some observations on one or two aspects. First, I would like to express my appreciation for the embodiment in this Bill of some provisions which have arisen as a result of the recommendations made in the several State Legislatures including Mysore. I am referring particularly to the protection and the safeguards guaranteed to the minorities—social, cultural and linguistic minorities. Some of these provisions, whether they go far enough and reach the ideal that we have in view, or not, are matters on which I do not propose to enter. Nevertheless, by and large, some of the provisions are very wholesome and I am sure they will give satisfaction to some of those persons who genuinely felt apprehensions in this matter. Particularly, at a time when there is linguistic difference almost affecting the body politic and the social life of the country, to

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concede that the minorities would have a fair deal and that there is provision in this Bill to allay those fears and see that justice was done to them, is certainly a very good step in the right direction. I will leave the matter there.

As regards how this amendment has come before us, I want to state the position. This amendment and this resolution come before us because of a constitutional necessity. According to the Constitution, a Bill which affects the boundaries of several States, before it is presented to the Parliament, has to pass a necessary a preliminary stage as it must be passed by several States which are affected thereby. It is only after the States Legislatures pass resolutions that the Bill could gobefore-the Parliament. You may remember we had such an occasion to discuss the S.R. Bill. After the Bill is passed by the Parliament ratification is again to be made by State Legislatures. Therefore what right we exercise here is a very substantial right and I am perfectly happy that our Chief Minister has brought in this motion and therefore it is more or less not a conventional or routine matter that we are going to exercise.

It is not merely a conventional and a routine-matter that we are trying to dispose of. It seems to me to be of substantial importance and is of significance that the Chief Minister and the Leader of the House has sponsored this Resolution. Although, it is, Mr. Speaker, your domain or province to decide the question of relevancy, I feel it was perfectly legitimate for us to make some of these observations. The observations made by Sri Imam were perfectly relevant because they all come under one or other clause of this amendment. It may be that the fortunes of this Bill will not be seriously deflected by virtue of any decision that we take. Nevertheless, the opinions expressed in this House inexercise of our substantial right under the Constitution are sure to be valued and the chances are very bright, almost certain.....

MR. SPEAKER.—If half the number of States do not agree, the President might withhold his assent even though the Bill has been passed by Parliament.

SRI K. PATTABHIRAMAN.—Sir, this is one unique feature of our Constitution and an instance where the Parliament of the country in its exercise of its right of legislation has passed a Bill, and still there is a stage in respect of it where the State Legislatures can exercise its right of veto. Therefore I feel, Sir, that we are exercising a substantial right and we are competent to make certain observations. One such observation is what has been referred to by Sri Bheemappa Naik, the Hon'ble Member from Molakalmuru.

A MEMBER.—Can we veto this Bill, Sir?

MR. SPEAKER.—You may not veto it. But you may send the Bill back if you do not agree.

SRI K. PATTABHIRAMAN.—I was using the word 'veto' in a very general sense, because there is a constitutional requirement that unless one-half the States ratify, it cannot become effective. It is a substantial right that this Legislature has. What will happen if one-half of the State Legislatures do not ratify and withhold their consent, is a matter which I do not want to contemplate. Nevertheless, it is there. It may be that it raises a question of very great constitutional importance, and in practice how it is going to work is far too much for me to say. All that I state is that it is a right that we are exercising and not merely as a routine matter, but a substantial right that is guaranteed to us under the Constitution. I leave the matter there.

I go back to the point which was referred to by Sri Bheemappa Naik about the High Courts. What I want to suggest is this: If this House feels rather distressed by certain of these provisions-the word screening may be an unhappy word—,I am not using this word—but what I want to impress upon this House is that if these proceedings are translated and sent to the concerned quarters, it will certainly have some good effect. It is not only

in Mysore, but in all Part B State High Courts, the feeling is the same. Here is a situation where the High Courts of Part A States are treated in a particular category. It looks to me, Sir, there is an idea of treating the High Courts of A States as their children and B States' High Courts as capture. That is what we must resent there is a strong feeling that these High Courts in the Part B States have their own tradition for judical competence of which any body can be proud of. I include Mysore High Court in this category. The method adopted, for the selection of High Court Judges for the new ones would not be in keeping with the dignity of these Institutions which have been working for centuries. Whatever you say, there is a strong feeling that so far as Part B State High Courts are concerned the treatment that is proposed to be given to these High Courts and the very approach was not happy. As a member of the Bar, and as a citizen of the State, as one who has lived on the tradition, I feel the whole edifice which we have built up is shaken. I feel that it is not a justifiable course to adopt. If as a matter of routine these changes are to be made nobody can quarrel. We have followed the trend of the talks in Parliament when the Part B States' High Courts Abolition Bill was before the Parliament. What the Law Minister has said is before the country. We know what suggestions were made. If I remember alright, the suggestion was that the Chief Justice of the Supreme Court would be going about the country for one month specifically with the object of this kind of a thing being done. I am glad that there are very many members in this House who feel strongly on this matter. I am sure their voice will reach the Centre. The feeling that is engendered must reach them in time. What is really worrying me is not that the position of ABC is changed into DEF. It is a matter, administrative. I leave it to the Government. We cannot ask the Government to share that responsibility with us. It is a responsibility of the Government. It would be wrong for us if we did so. What really worries us are certain other things and the proposed method of selection. Mr. Speaker, you will kindly see what is the impression that is created in the mind of the clientele. What really worries is that Judges of the High Court are being treated as primary school teachers in this respect. You are bringing the High Court Judges to that level. I am not worried about individuals at all. I am not, Sir, advocating the case of individuals. They can take care of themselves. They can stand or fall on their deserts. What I am anxious to impress upon you is that the prestige of the State Judiciary should not be undermined. That is what is worrying me. I think the language I have employed is certainly not offensive in any manner. I only made myself clear and I have spoken out my own feelings. So far as the Mysore High Court is concerned, I am proud to say that we have the utmost confidence in it. I hope that my apprehensions will not come true in respect of, shall I say, screening. Nobody would be more happy than me if it does not come true. I even wish that our Government will make it clear that there is a strong feeling in the country expressed in the Legislature and outside. I am sure even the Bar in Mysore will certainly express themselves in a matter of this kind in an unmistakable manner. I hope that the prestige that has been built for that Institution in Mysore, Part B State as it is, will be maintained and nothing will happen in the composition such as we should detract from or feel sorry about later. I leave the matter there.

Sri B. NARAYANASWAMY (Mysore City South).—I request Sri Pattabhiraman to speak on the specific sections in the Act. It has become very deffi-cult for me to follow why Part B State High Courts should not be abolished, because I do not know whether he is speaking on the Act that has been passed by Parliament and has received the assent of the President.

Sri K. PATTABHIRAMAN.—The relevancy comes this way. An

(SRI K. PATTABHIRAMAN.) information I have supplied to the House is that the Part B States High Courts Abolition Act has become law. In the context of that, I drew specific reference to the clause here where there is a reference to the several High Courts which are going to be constituted. So far there were Part A and Part B States. These distinctions will disappear under the present Bill and there will be only one class of High Courts according to the Constitution. In this context, you will kindly appreciate the relevancy of my alluding to that subject while speaking on the present Bill that is before the House. I hope my very good friend is satisfied with the humble explanation that I have given before his exalted self.

Now, Sir, I was stating that in the course of the debate, certain questions were raised. For instance, the question of Zonal Councils. In this Bill some provisions have been included accepting some of our recommendations. Some of them have not been accepted. But this is not the occasion when we can go into details or the several provisions of the Bill, because it will not serve any good purpose. I still feel, however, Sir, that so far as the integration of the States is concerned, it will be done in a manner such as to ensure that some of these difficulties and pin-pricks which may loom very large if they were allowed as they are, will be removed and that the inauguration will take place in proper atmosphere and these difficulties about boundaries will not be allowed to magnify to such an extent as to harm the general atmosphere in which we would all wish these States to be inaugurated

2-30 P.M.

With these words, Sir, I certainly feel that, with the exception of the provisions relating to the new High Courts, an important mile-stone in the history of our country has been reached in this Bill and if I may be permitted to add, with this, I hope India will regain the glory of centuries, a glory worthy of herself In fact, I really believe that all these changes would be to the good of the country and the posterity will certainly appreciate the great efforts made by the present generation, led by the present Government. Here and there they have taken estrides in the country's progress and I wholeheartedly accord my approval to the resolution sponsored by the Leader of the House.

SRI D. DEVARAJ URS (Hunsur).—While supporting the motion I wish to state that while I am one with the sentiments expressed by Sri Pattabhiraman, I differ from him with regard to the abolition of the High Courts in Part B States. .

SRI K. PATTABHIRAMAN.—You are entitled to.

SRI D. DEVARAJ URS.—He was pleased to say and argue so much for the retention of these High Courts. He said that he was not concerned with the institution as such. Whether this person is screened or that Judge is retained or the other Judge is removed is not the point I am referring to. While listening to his speech, I just read in the States Reorganisation Act the clause which refers to the abolition of certain courts in Part B States. In the clause it is stated here: "As from the appointed day the High Courts of the existing Part B States except Jammu and Kashmir, and the Courts of the Judicial Commissioners for Ajmer, Bhopal, Kutch and Vindhya Pradesh shall cease to function and are hereby abolished." After the provision for the abolition of these courts, provision is also made for the appointment of Judges to these High Courts. In section 50 sub-section (3) it reads thus:

> "Every such judge of a High Court abolished by sub-section (1) as the President after consultation with the Chief Justice of India may be, order made before the appointed day, specify shall, as from that day, become a Judge, or if so specified the Chief Justice, of such High Court as the President may in that order specify."

So, after provision is made for the abolition of these Courts, provision is also made for the appointment of the Judges of these High Courts.

So, nowhere do we find about this screening of these judges as was so much argued by Sri Bheemappa Naik. Nor do we find anything with regard to the discrimination made between judges and judges. So, I fail to see any reasonableness in the argument that so much injustice is sought to be done by the abolition of these High Courts. If it is a question of sentiment as was so much argued by our learned friend Sri Pattabhiraman, I would like to ask, how many such institutions are not abolished by the introduction of these new States? The old Mysore Legislature would be dissolved and converted into a new Assembly. Take the office of the Speaker and the Chairman. Is not provision made for the election of new Speaker and new Chairman? So, like this directly or indirectly if we speak of such institutions, we speak of the persons immediately present in those institutions holding offices. I do not, therefore, understand the logic in saying that we are Concerned in retaining the institution and not concerned about the personnel. We need not stress so much for the retention of these courts which have been abolished by making provision in this Act.

I do not wish to dilate more on the point of linguistic minorities, but I wish to make only one observation regarding the language, Although Kannada is the predominant language in the State, we must all see that the other linguistic minorities in the State are not neglected and we must give due regard and protection to the growth and development of other languages. With these remarks I support this motion.

Sri H. C. LINGA REDDY (Malur).—Sir, I endorse the resolution that has been moved by the Leader of the House wholeheartedly and while so doing I would like to make one or two observations. With regard to the Zonal Councils I had sent a non-official resolution which could not be taken up because it did not secure the earlier place in the ballot.

Mysore has been included in the Western Zone comprising of Bombay and Mysore. The original idea was that Mysore should be included in the Southern Zone along with Andhra, Madras and Kerala. We heard from the debates of the Parliament that representatives who had been sent from this State very cogently and logically argued that Mysore should be included in the Southern Zone. In fact, there was overwhelming opinion in favour of the contention put forward by our representatives. But, unfortunately, for some reason or other it was not accepted. Only assurances were given that the present position may stand for some time and after seeing how it works we may think of revising it. It is the opinion of this House that Mysore should be included in the Southern Zone because our association and affinities are more with Andhra, Madras and Kerala. Though two or three districts of Bombay would be merging with us in the formation of new Mysore State, our likes and dislikes, our association and affinities are not so much inter-related with Bombay. Therefore, even now it is not too late for the Parliament to agree to this proposal that Mysore may be included in the Southern Zone and not in the Western Zone.

With regard to the salaries of the High Court Judges, the Leader of the Opposition was suggesting that the enhancement of salaries to High Court Judges in the new Mysore State would work a serious hardship on the finances of the State. We are now forming bigger States. Though I agree that the salaries should be reduced and they are too high and though this House took a unanimous decision by passing a resolution that the salary of the highest officer should not exceed one thousand rupees, I think it is a thing which has to be taken up on All-India basis and it is not a thing which could be adopted in any single State. Until that is done we will have to have an uniform policy. The salary of a High Court judge in one State cannot be defferent from that of a judge of an other High Court. When we are having a uniform scale of pay in the case of I.A.S. and I.P.S. officers, to make a distinction between Judges of one High Court and the other will not be just and proper. Though there is a

(SRI H. C. LINGA REDDY.)

case for revision of salaries and reduction of salaries in future, as long as that is not done, it is better and is neccssary that the salaries of High Court Judges of all the States are made uniform. Some friends were suggesting that fresh appointments would be made to the High Courts in Part B States. May be that judges more efficient and with better legal acumen are going to be selected.

I do not say that the present High Court Judges in the Part B States are not fully equipped or not efficient. Therfore, I submit that the salaries have got to be uniform and they cannot be reduced.

With these few observations I support this resolution.

Sri L. SIDDAPPA (Channagiri).—In connection with the resolution, I would like to offer one or two observations. So far as the linguistic minorities are concerned, I quite agree when my friends stated that the provision made in the Constitution is not by itself sufficient. When an officer is appointed and when he presents his report to the President, it is provided that that report will merely be placed before the Parliament. That is not sufficient. When the President is satisfied that the State Governments have not complied with the directions made in the Constitution in the matter of safeguarding the interests of the minorities, a provision should have been made that the President shall issue relevant directives to the State Government to remedy any defects or shortcomings noticed in the report.

With regard to the salaries of the High Court Judges, with due respect to my learned friend Sri Imam, I do not agree with him when he said that enhancement is not justified. After the States are reorganised, if we take into consideration the enlarged State of Mysore, the area and population get doubled. In keeping with the area and population of such enlarged State, it is necessary that the salaries and status of the High Court Judges should be suitably revised and I am glad that adequate provision has been made in the amended Constitution.

Regarding the other points, namely, that there is a talk of the Judges being screened, I must also agree with my friends who have spoken in that connection. It is disgraceful to talk of such things. If we take into consideration our High Court Judges, our High Court has occupied an eminent, dignified and respectful place. With utmost care the Judges were selected either from the Bar or from the Bench. If we take into consideration all these aspects, our Judges who occupy the seats today, have uniformly commended the confidence of the litigant public and the Advocates who appear before them. When the state of affairs are such, to subject them to screening or tests, in my opinion, is very derogatory. I believe the opinion expressed in this behalf will be taken into consideration by the authorities concerned and any move in that respect will be given up. I may also submit in this connection our experience when officers of this Government were screened when they were thought of for inclusion in the I.A.S. cadre. It has not been satisfactory nor has it rendered any justice. In view of the past experience and especially when it is a matter affecting the High Court Judges, I submit that this move is not at all welcome and the quarters that are cousidering this will take into consideration the opinion expressed in this House and any move to that effect will be given up.

*ಶ್ರೀ ಎನ್. ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್ (ಟಿ. ನರಸೀಪುರ).—ನ್ಯಾಯಮಿ, ನಾನು ಈ ನಿರ್ಣಯದ ವಿಚಾರದಲ್ಲಿ ಬಹಳ ಹೆಚ್ಚಾಗಿ ಮಾತನಾಡುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ. ಕಾರಣ ಈಗಾಗಲೇ ಅನೇಕರು ಮಾತನಾಡಿದ್ದಾರೆ. ಆದರೆ ಈ ಸಂದರ್ಭದಲ್ಲಿ ನಾನು ಒಂದಂಶವನ್ನು ತಮ್ಮಲ್ಲಿ ಅರಿಕೆ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂಬ ಉದ್ದೇಶದಿಂದ ಎರಡು ಮಾತನಾಡಲಚ್ಚಿಸಿದ್ದೇನೆ.

ನಮ್ಮ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ನಮೂದಾಗಿರುವ ಆರ್ಟಿಕಲ್ 368ರಲ್ಲಿ ಈ ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳಿಗೆ ಏನೊಂದು ಅಧಿಕಾರವನ್ನು ಕೊಡಲಾಗಿದೆಯೋ ಅದನ್ನು ಕಾಲಕಾಲಕ್ಕೆ ನರಿಯಾಗಿ ಚಲಾಯಿಸಲು ಈ ಸರ್ಕಾರಗಳು ಅವಕಾಶವನ್ನು ಕೊಡುತ್ತಿಲ್ಲ. ಈಗಾಗಲೇ ಮಾತನಾಡುತ್ತ ಅನೇಕ ಮಾನ್ಯಮಿತ್ರರು ಹೇಳಿದರು—ಆರ್ಟಿಕಲ್ 368(ಬ) ಭಾಗದಲ್ಲಿ ನಮೂದಿಸಿರುವ ಪ್ರಕಾರ ಯಾವಾಗ ಶೇಕಡ ಐವತ್ತರಷ್ಟು ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳು ತಮ್ಮ ಒಪ್ಪಿಗೆಯನ್ನು ಕೊಡುತ್ತವೋ ಆಗ ಆ ತಿದ್ದುಪಡಿ ಮನೂವೆಗಳು ಕಾನನ ದತ್ತವಾಗುತ್ತವೆ, ಈ ಕಾರಣದಿಂದ ಈಗ ಆ ಬಿಲ್ಲಿಗೆ ರಾಷ್ಟ್ರಾಧ್ಯಕ್ಷರ ಅಂಗೀಕಾರ ಮುದ್ರೆ ಬಿದ್ದೇ ಬೇಳುತ್ತದೆಂದು ಹೇಳಿದರು. ಒಂದುವೇಳೆ ಹಾಗೆ ಅಸ್ಸೆಂಟ್

ಆಗಿದೆಯೆಂದೇ ಒಪ್ಪಿಕೊಳ್ಳೋಣ. ಆದರೆ ನಮ್ಮ ರಾಜ್ಯಾಂಗಕ್ಕೆ ತರಲಾಗಿದ್ದಂಥ 6ನೆಯ ತಿದ್ದುಪಡಿ ಮಸೂದೆಯನ್ನು ಈ ನಮ್ಮ ಶಾಸನ ಸಭೆಗಳ ಒಪ್ಪಿಗೆಗಾಗಿ ಈ ಸಭೆಯ ಮುಂದೆ ಆರ್ಟಿಕಲ್ 368ರ ಪ್ರಕಾರ ತಂದೇ ತರಬೇಕಾಗಿತ್ತು. ಆದರೆ ಆ ತಿದ್ದುಪಡಿ ಮಸೂದೆ ಚರ್ಚೆಗೆ ಈ ಸಭೆಯ ಮುಂದೆ ಬಾರದೇನೇ ಹಾಗೆಯೇ ನೇರವಾಗಿ ರಾಷ್ಟ್ರಾಧ್ಯಕ್ಷರಿಗೆ ಹೋಗಿ ಅದು ಅಂಗೀಕಾರವಾಗಿದೆ. ಆದರೆ ಆರ್ಟಿಕಲ್ 368ರ ಪ್ರಕಾರ ಆ ತಿದ್ದುಪಡಿ ಮಸೂದೆಯನ್ನು ಚರ್ಚೆಮಾಡತಕ್ಕ ಅಧಿಕಾರ ಈ ಸಭೆಗೆ ಇತ್ತು. ಆದರೆ ತಾವು ಈ ಶಾಸನ ಸಭಾಸದಸ್ಯರಿಗೆ ಒಂದು ಅಚ್ಚಾದಪುಸ್ತಕವನ್ನು ಕಳುಹಿಸಿಕೊಟ್ಟಿದ್ದೀರಿ. ಅದರಲ್ಲಿ ಆ ತಿದ್ದುಪಡಿ ಮಸೂದೆಯನ್ನು ಈ ಸಂಸ್ಥಾನದ ಶಾಸನ ಸಭೆಗಳ ಮುಂದೆ ತಾರದೆ ಅದನ್ನು ಕೇಂದ್ರದ ಉಭಯ ಸಭೆಗಳೂ ಚರ್ಚೆ ಮಾಡಿ ಅದನ್ನು ಮಂಜೂರು ಮಾಡಿರುತ್ತವೆ. ಆ ವಿಚಾರವಾಗಿ ಈ ಸಭೆಯ ಮುಂದೆ ಯಾವ ಚರ್ಚೆಯೂ ನಡೆಯುಲಿಲ್ಲ. ಆ ವಿಚಾರ ಇಲ್ಲಿ ಚರ್ಚೆಗೆ ತರುವ ಕಾಲಕ್ಕಾಗಲೇ ಅದಕ್ಕೆ ದೆಹಲಿಯಲ್ಲಿ ರಾಷ್ಟ್ರಪತಿಗಳ ಫ್ರಿಂಟ್ಗೀಕಾರ ಮುದ್ರೆ ಬಿದ್ದಿತ್ತು. ಹೀಗಾದರೆ ಆರ್ಟಿಕಲ್ 368 ಇರುವುದು ಕೇವಲ ಒಂದು ನೆಪಮಾತ್ರಕ್ಕೋ! ಒಂದು ಪ್ರಾಂತ ಸರ್ಕಾರದ ಉಭಯ ಶಾಸನ ಸಭೆಗಳಲ್ಲೂ ಇಂಥ ಒಂದು ಮಸೂದೆ ಚರ್ಚೆಯಾಗದೇನೇ ಕೇಂದ್ರಸರ್ಕಾರ ಮಂಜೂರು ಮಾಡಬಹುದೆಂದಾಯಿತು. ಶೇಕಡ ಐವತ್ತರಷ್ಟು ಸಂಸ್ಥಾನಗಳಿಗೆ ಕಡಮೆಯಿಲ್ಲದೆ ತಮ್ಮ ಒಪ್ಪಿಗೆ ಕಳುಹಿಸಿ ಬಿಟ್ಟರೆ ಕೇಂದ್ರುಕ್ಕೆ ಅಷ್ಟೇ ಸಾಕಾಗಿದೆ. ಆ ಸಂಖ್ಯೆಗಿಂತ ಕಡಮೆಯಿದ್ದಾಗ ಮಾತ್ರವೇ ಆ ಮಸೂದೆಗಳನ್ನು ಪುನಃ ಪರಿಶೀಲನೆಗಾಗಿ ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳಿಗೆ ಹಿಂದಕ್ಕೆ ಕಳುಹಿಸುತ್ತಾರೆ. ಇಂಥ ಒಂದು ನಾಟಕವನ್ನು ಏಕೆ ಆಡಬೇಕು! ಇಂಥ ಒಂದು ನಿರ್ಣಯದ ಬಗ್ಗೆ ಯಾವುದಾದರೂ ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳು ಶೇಕಡ 50ರಷ್ಟು ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಬೇಗ ಕಳುಹಿಸಿ ಬಿಟ್ಟರೆ, ಹಾಗೆ ಅವು ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಕಳುಹಿಸಿದನಂತರ ನಾವಿಲ್ಲಿ ಆಖೈರಿನಲ್ಲಿ ಈ ನಿರ್ಣಯದ ಬಗ್ಗೆ ಚರ್ಚೆಮಾಡಿ ನಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ತಿಳಿಸಿದರೆ ತಾನೇ ಏನು ಪ್ರಯೋಜನವಾಯಿತು! ವ್ಯರ್ಥಾ ಕಾಲಹರಣ ಮತ್ತು ವ್ಯರ್ಥ ಖರ್ಚುಗಳು. ಆ ವಿಧಿಯಲ್ಲಿ ಕೊಟ್ಟಿರತಕ್ಕದ್ದು ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳ ಒಂದು ಹಕ್ಕು. ಹಾಗೆ ಕೊಟ್ಟಿರತಕ್ಕಂಥ ಹಕ್ಕನ್ನು ಈ ದಿವಸ ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳು ಕಾಲಕ್ಕೆ ಸರಿಯಾಗಿ ಉಪಯೋಗಮಾಡಿಕೊಳ್ಳುತ್ತಿಲ್ಲ. ಈ ಭಾಗದಲ್ಲಿ ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳು ಸಾಕಷ್ಟು ಎಚ್ಚರಿಕೆಯನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದದ್ದು ಅತ್ಯಗತ್ಯ ಎನ್ನುವುದನ್ನು ತಿಳಿಸಬೇಕೆಂಬುದೇ ನನ್ನ ಮುಖ್ಯ ಉದ್ದೇಶ ಮತ್ತು ಇನ್ನ ವಾವವ ದೃಷ್ಟಿ.

ಈ ಹಿಂದೆ ಇದೇ ಮಾನ್ಯಸಭೆಯಲ್ಲಿ ಯಾವೊಬ್ಬ ಅಧಿಕಾರಿಗೇ ಆಗಲಿ ತಿಂಗಳಿಗೆ ಒಂದು ಸಾವಿರಕ್ಕಿಂತಲೂ ಹೆಚ್ಚಾಗಿ ವೇತನ ಕೊಡಬಾರದೆಂಬ ಒಂದು ನಿರ್ಣಯದ ಬಗ್ಗೆ ಚರ್ಚೆಯಾಗಿ ಯಾರೊಬ್ಬರಿಗೂ ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗಿಂತ ಹೆಚ್ಚು ಸಂಬಳವಿರಬಾರದೆಂಬ ನಿರ್ಣಯಕ್ಕೆ ಹಿಂದೆ ನಾವೆಲ್ಲರೂ ಒಪ್ಪಿಗೆ ಕೊಟ್ಟಿದ್ದೆವು. ಹಾಗೆ ಹಿಂದೆ ಒಂದು ರೀತಿಯಾಗಿ ತೀರ್ಮಾನಮಾಡಿದ್ದಂಥ ನಾವುಗಳೇ ಈ ದಿವಸ ಇಲ್ಲಿ ಕುಳಿತು ಪುನಃ ಹೀಗೆ 4 ಸಾವಿರ-5 ಸಾವಿರ ರೂಪಾಯಿಗಳ ಸಂಬಳವನ್ನು ಕೆಲವರಿಗೆ ಕೊಡಬೇಕೆಂಬ ನಿರ್ಣಯಕ್ಕೆ ಬೆಂಬಲ ನೀಡಬೇಕೆಂದರೆ ಇದೆಂಥ ವಿಷಯ! ಇದೇನು ವಿಚಿತ್ರ! ಇದರಿಂದ ಏನು ಒಂದಂಶ ವ್ಯಕ್ತಪಡುತ್ತಿದೆಯೆಂದರೆ ನಮಗೆ ನಮ್ಮ ತೀರ್ಮಾನದ ಪ್ರಕಾರ ಕೆಲಸ ನಡೆಸುವ ಅನಕ್ತಿಯಿರುವುದಿಲ್ಲ ಎನ್ನುವುದು ಗೊತ್ತಾಗುತ್ತದೆ. ಹೀಗೇನಾದರೂ ತಮಗೆ ಒಂದು ಅಭಿಪ್ರಾಯವಿರುವುದಾಗಿದ್ದರೆ ಅದನ್ನಾದರೂ ತಾವು ತಿಳಿಸಿಬಿಡಿ. ಆಗ ನಾವು ಇಲ್ಲಿ ತೆಗೆದುಕೊಳ್ಳುವ ತೀರ್ಮಾನಗಳಿಗಾಗಲಿ ಅಥವಾ ನಾವು ಕೊಡತಕ್ಕ ಓಟುಗಳಿಗಾಗಲಿ ಏನೂ ಬೆಲೆಯಿಲ್ಲವೆಂಬುದನ್ನು ನಿರ್ಧಾರಮಾಡಿಕೊಳ್ಳೋಣ. ಈ ದಿವಸ ಈ ನಮ್ಮ ತೀರ್ಮಾನಗಳಿಗೂ ಮತ್ತು ಓಟಿಗೂ ಏನಾದರೊಂದು ಬೆಲೆ ಇದೆಯೇ ಅಥವಾ ಇಲ್ಲವೇ ಎಂಬ ಒಂದು ಅನುಮಾನ ಬಂದಿದೆ. ಈ ವಿಚಾರದಲ್ಲೂ ಕೂಡ ಸರ್ಕಾರದವರು ಎಚ್ಚರಿಕೆ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾಗಿದೆ.

ಇನ್ನು ಮೂರನೆಯದಾಗಿ, ಈಗಾಗಲೇ ಭಾಷಣ ಮಾಡಿರತಕ್ಕ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರಾದ ಶ್ರೀ ಇಮಾಂ ಅವರು ಈಗ ನಮ್ಮ ಮುಂದೆ ಬಂದಿರತಕ್ಕ S. R. ಆಕ್ಟಿನಲ್ಲಿ ನಮ್ಮ ಮೇಲ್ಮನೆಗೆ 52 ಜನ ಸದಸ್ಯರಿರಬೇಕೆಂಬುದಾಗಿ ತೀರ್ಮಾನವಾಗಿರತಕ್ಕ ವಿಚಾರದಲ್ಲಿ ಕೆಲವು ಅಭಿಪ್ರಾಯಗಳನ್ನು ತಿಳಿಸಿದ್ದಾರೆ. ಆ ಪ್ರಮಾಣದೆಗೆ ಈಗ ರಾಷ್ಟ್ರಪತಿಗಳ ಅಸೆಂಟ್ ಆಗಿದೆ. ಹಾಗೆ ಅಸೆಂಟಾದಮೇಲೆ ಆಯಾ ಸ್ಟೇಟುಗಳಲ್ಲಿರತಕ್ಕ ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರ ಸಂಖ್ಯೆ ಆ ಸ್ಟೇಟಿನ ಅಸೆಂಬ್ಲಿ ಸದಸ್ಯರ ಸಂಖ್ಯೆಯ ಮೂರನೆಯ ಒಂದು ಭಾಗಕ್ಕಿಂತ ಜಾಸ್ತಿ ಇರಕೂಡದೆಂದು ತಿದ್ದುಪಡಿ ಇದೆ. ಈ ಹಿಂದೆ ಇದ್ದ ರಾಜ್ಯಾಂಗದ ವಿಧಿಯ ಪ್ರಕಾರ ಕಾಲುಭಾಗವೆಂದಿತ್ತು. ಆ ಕಾಲದಲ್ಲಿ ಆ S. R. ಬಿಲ್ ಪಾಸಾಯಿತು. ಆದಕಾರಣ ಈಗ ಸರ್ಕಾರದವರು ಆ ನಮ್ಮ ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರ ಸಂಖ್ಯೆ ಮೂರನೆಯ ಒಂದು ಭಾಗ ಇರುವಂತೆ ಮಾಡಲು ಏನೇನು ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳಬೇಕೋ ಅವುಗಳನ್ನು ಕೂಡಲೇ ಕೈಗೊಳ್ಳುವಂತೆ ಮಾಡಬೇಕೆಂಬುದೂ ಸಹ ನನ್ನ ಒಂದು ಉದ್ದೇಶವಾಗಿದೆ.

ಇನ್ನು ಅಲ್ಪ ಸಂಖ್ಯಾತರ ರಕ್ಷಣೆಯ ವಿಚಾರ. ಈ ವಿಚಾರದಲ್ಲಿ ರಾಜ್ಯಾಂಗದಲ್ಲಿರತಕ್ಕ ಭಾಷೆ ಹೀಗಿದೆ:—

> "It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children....."

ಎಂದು ಇದೆ. It shall endeavour ಎಂದರೆ ಪ್ರತಿಯೊಂದು ಸಂಸ್ಥಾನವೂ ಪ್ರಯತ್ನಮಾಡಬೇಕೆಂದು ಹೇಳಲಾಗಿದೆಯೇ ಹೊರತು ಅವು ಕಡ್ಡಾಯವಾಗಿ ಮಾಡಲೇಬೇಕೆಂದೇನೂ ಹೇಳಿಲ್ಲ. ಅದೇ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ಎಲ್ಲಾ ಪ್ರಜೆಗಳಿಗೂ ಒಂದು ಗೊತ್ತಾದ ವಯಸ್ಸಿನವರೆಗೂ ಕಡ್ಡಾಯವಾಗಿ ಪ್ರತಿಯೊಂದು ಸಂಸ್ಥಾನ ಸರ್ಕಾರಗಳೂ ವಿದ್ಯಾಸೌಲಭ್ಯಗಳನ್ನು ಉಚಿತವಾಗಿ ಕೊಡಬೇಕೆಂದು ತಿಳಿಸಿದೆ. ಅರೀತಿ ಒಂದು ವಿಧಿಯೇ ಇದೆ. ಹಿಂದೆ ಒಂದಾವರ್ತಿ ಇದೇ ವಿಚಾರದಲ್ಲಿ ಈ ಸಭೆಯ ಮುಂದೆ ಚರ್ಚೆ ನಡೆಯುತ್ತಿದ್ದಾಗ ನಮ್ಮ ಸರ್ಕಾರದವರು 'It shall endeavour' ಎಂದು ಹೇಳಿದ್ದರು. ಆದ್ದರಿಂದ ನಮ್ಮ ಇಷ್ಟಕ್ಕೇ ಬಿಟ್ಟ ವಿಚಾರ. ಸಾಧ್ಯವಾದಮಟ್ಟಿಗೂ ನಾವೂ ಪ್ರಯತ್ನಮಾಡುತ್ತೇವೆ ಎಂಬುದಾಗಿ ಉತ್ತರ ಕೊಟ್ಟಿದ್ದಾರೆ. ಆದ್ದರಿಂದ ಈ ವಿದ್ಯಾಭ್ಯಾಸದ ವಿಚಾರದಲ್ಲಿ ಪ್ರತಿಯೊಂದು ಭಾಷೆಯ ಜನಗಳಿಗೂ ಅಂದರೆ ಈ ಅಲ್ಪ ಸಂಖ್ಯಾತರ ವಿಚಾರದಲ್ಲಿ ಪ್ರೈಮರಿ ಸ್ಕ್ಯಾಂಡರ್ಡ್‌ವರೆಗಾದರೂ ಅವರಿಗೆ ಅವರ

(ಶ್ರೀ ಎಸ್. ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್)

ಮಾತೃಭಾಷೆಯಲ್ಲಿ ವಿದ್ಯಾಭ್ಯಾಸ ದೊರೆಯತಕ್ಕ ಸೌಲಭ್ಯಗಳನ್ನೊದಗಿಸಬೇಕು. 'It shall endeavour' ಎನ್ನುವ ಪದಗಳಲ್ಲಿ ಅನುಮಾನವಿರುವುದರಿಂದ ಇವುಗಳನ್ನು ಬದಲಾವಣೆ ಮಾಡಬೇಕೆಂದು ಸೂಚಿಸುತ್ತೇನೆ. ಆ ರೀತಿ ತಾವು ಕೇಂದ್ರ ಸರ್ಕಾರವನ್ನು ಒತ್ತಾಯಪಡಿಸಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ. ಕಾಲವೆಲ್ಲಾ ಮುಗಿದು ಹೋಗುವತನಕ ನಮ್ಮ ಸರ್ಕಾರ ಸುಮ್ಮನೆ ಕುಳಿತಿದ್ದು ಕಡೆಯಲ್ಲಿ ಹೀಗೆ ನಮ್ಮ ಅಭಿಪ್ರಾಯ ಪಡೆಯುವುದು ಸರಿಯಲ್ಲವಾದ್ದರಿಂದ ಇದನ್ನು ಸರ್ಕಾರದವರು ಕೂಡಲೇ ತಿದ್ದುಪಡಿ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು ತಿಳಿಸಬೇಕೆಂಬ ಉದ್ದೇಶದಿಂದಲೇ ನಾನೀಗ ಇಷ್ಟು ಮಾತನಾಡಬೇಕಾಯಿತು.

Mr. SPEAKER.—The House will now rse for Lunch and meet at 3-30 P. M.

The House rose at Three of the Clock and re-assembled at Thirty Minutes past Three of the Clock.

[MR. SPEAKER in the Chair.]

***Sri S. GOPALA GOWDA** (Sagar—Hosanagar),— Mr. Speaker, Sir, I rise to oppose the motion moved by the Hon'ble the Chief Minister asking the House to ratify the Constitution (Seventh Amendment) Bill, 1956. This is a piece of legislation which has already been passed by the Houses of Parliament proposing so many changes in the Constitution. Mainly it was a consequential amendment which was warranted by the proposal of the States Reorganisation Commission. The Bill is coming into force on the 1st day of November 1956. We had several occasions to voice our views so far as the States Reorganisation is concerned and more particularly the reorganisation of the Mysore State. Here the distinctions which were made between State and State in the Constitution have been removed so far as the categories of A, B and C States are concerned. But a new category of States has been carved out. They are the Union Territories, namely, Delhi, Himachal Pradesh, Manipur, Tripura and the Andaman and Nicobar Islands. On other occasions, I had strongly opposed the idea of the portions however small they may be, directly to be administered by the Union; and so far as my knowledge goes, there is a considerable section of people in the country who vehemently oppose this kind of direct rule over any territory. In spite of the opposition, the Houses of Parliament have enacted this piece of legislation which carves out six territories which come under the direct rule of the Union. As you all know, as the House is aware, we opposed the existence of the Legislative Councils which are merely ornamental and which have no power on finance or other such vital matters. The same views again redound and thereby we are not making any substantial changes so far as these Houses are concerned.

About the abolition of High Courts in Part B States and the appointment of Judges after screening so much was discussed on the floor of this House. Of course, I have no objection for selecting Judges from among the best men in the country from the Bench or the Bar according to the procedure that is being adopted. But so far as enhancing the salaries of the Judges is concerned, I have to oppose it tooth and nail because on the floor of this very House once we accepted the theory that the salary of any official, as far as possible should not exceed Rs. 1,000 per month. Now we are asked to say 'yes' about the salaries of the Judges which are fixed at Rs. 4,000 and Rs. 3,000 per month.

To-day the general will of the people is for bringing down the high salaries paid to officers. The Congress Government have not put that idea into practice till now. Once, Mahatma Gandhi wrote to the Viceroy stating that his salary was too high when the income of an Indian was too low. He advised him not to take such a fat salary. But, with all respect to the President of India, I must say that we are paying a sum of ten thousand rupees to him per month. Downwards we are paying such high salaries to the Ministers and the Officers which is not at all desirable. The tendency of the Congress Governments seem to be to have the same scales of pay and the same paraphernalia and the same aggrandizement which the previous so

called irresponsible Governments were having.

Sir, this piece of legislation has emerged after having taken several precious lives of people in the country. We can never forget the incidents that took place in Bombay and recently in Ahmedabad and we can never forget how the Congress Governments, the so-called followers of Mahatma Gandhi, the apostle of non-voilence, killed the people of Bombay and Ahmedabad who agitated justly for the recognition of their legitimate rights and aspirations to have a unilingual State which was once promised by the Congress itself. History will record this tyrannical rule of the Congress Government in this country.

I would like to draw the attention of this House that the linguistic minorities are already feeling that they may find their way very difficult through the ruling bodies and the majorities. In this Bill some safeguards have been provided to protect the interests of the linguistic minorities. It is said that every State shall endeavour to provide adequate facilities for instruction in the mother-tongue at the primary stage of education. It is also said that there shall be a Special Officer for linguistic minorities appointed by the President. In clause (2) of the Bill it is stated that the officer will investigate into all matters relating to the safeguards provided for linguistic minorities under the Constitution and report to the President upon these matters and so on and so forth. As Sri Srinivasa Iyengar has already pointed out, it is within our knowledge how the word 'endeavour' has been implemented and how the State Governments have tried to endeavour wherever such a direction was given as per Directive Principles adumbrated in the Constitution itself. To cite one example, it is laid down in the Directive Principles that every State shall endeavour to see that all the school-going children are given free primary education up to the age of 14 years. We are still there where we were before the dawn of freedom in this respect. Whenever criticisms are made, Government take shelter under statistics. In our State itself so much publicity was given to the educational reforms and a committee was formed and a report prepared. The outcome of all this is nothing. Similarly, nothing tangible would be done even in the case of linguistic minorities.

Sri Kadidal MANJAPPA.—The Hon'ble Member is making a budget speech; he is going on about educational reforms.

Sri S. GOPALA GOWDA.—I am giving it only as an example. After so much of publicity it only ended in declaring that Sarvodaya Day will be the opening day of schools. It was all funny and I do not want to say anything more about it. So, these two sections which have been inserted here with all sincerity and good faith should not be taken as an assurance for taking immediate steps or serious steps or adequate steps so far as safeguarding the interests of the linguistic minorities are concerned.

With these observations I oppose the motion moved by the Leader of the House to ratify this piece of legislation.

4 P. M.

Sri B. V. NARAYANA REDDY (Bangalore-South).—Sir, while welcoming this Bill, I would like to say one or two points.

Whether rightly or wrongly somehow the Telugu parts which are contiguous have been included in Mysore. Now that it has been included in the Mysore State, we know we have failed in our duty. We have been included in the place where we really do not belong. But, Sir, there will come a time when Telugu people will realise that they have been wrongly here. But this decision is not final and till such time some guarantees.....

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education.)—Are you not in your mother country!

(*Applause*)

Sri B. V. NARAYANA REDDY.—Till then at least some guarantees should be given. As our friends Sri Srinivasa Iyengar and Sri Gopala Gowda were explaining, the clause here is not perfectly defined. There is a lot of

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scope for interpretation. There is a provision in the Constitution that the children should be taught in their mother-tongue. That they have not done. They have been successfully trying to ignore our rights. I have been requesting them time and again to open Telugu primary schools wherever they are in majority. But the Government have been interpreting things in their own way. Therefore unless there is a guarantee that such things will not repeat, there is no safeguard for the language minorities. Moreover in Mysore we are in a minority and we have been ignored. In the greater Mysore we will be still in a minority and Kannadigas will be in a brutal majority. They can do anything. What guarantee is there that they will not do it ? They have not stated on what basis they are going to protect us. For example, when there was an agitation "Mysore for Mysoreans," there were riotings and they took only one group into their confidence and the Telugu people in Bellary were ignored. Therefore I wish that at least now the Government will safeguard and protect our rights and take a correct attitude towards language minorities. If they do not do it we will see that our interests are protected and safeguarded.

SRI B. T. KEMPARAJ (Bangalore South-Scheduled Castes).—Mr. Speaker, I have been closely observing the brilliant arguments advanced by some of our friends on the Opposition side, especially by Sri Gopala Gowda who spoke for more than half-an-hour so ably and passed some remarks while speaking on this Bill as far as the Congress party is concerned. Suffice it for me to say that whatever our Hon'ble friend remarked has been very well understood in the recent election held throughout India. If the Congress party were not able to solve the problems of the common man or the average man, the Congress would not have remained in power so long. A reference was made by him regarding the agitation made by the people of Bombay and Ahmedabad. He should be aware that whenever there is a country wide change regarding territorial matters and when people become so much selfish and narrow-minded they try to instigate the people who cannot understand bigger problems. Sir, when a few interested persons instigate the public, such things are bound to occur. Therefore let not our friend make this petty question a big one when we have achieved such a great and important thing in our country. This is a problem to which every person in the country demanded a solution. That is the reason why the Government have taken this cause as very important and they have shaped the matter very well.

Regarding reference about salaries of High Court Judges, it is correct that a uniform salary has been fixed up throughout the country. I may draw the attention of our friend to the direction given here that the State Assembly cannot try to fix up the salaries of High Court Judges and the State Legislature has no jurisdiction over the functioning of the High Court. Our friend referred that the High Courts in Part B States will be abolished as soon as the new States are created. I cannot understand how he was able to come to that conclusion Sir, the new States that will come into being will have the High Courts that will be established on equal status throughout the country. Therefore, there will be no necessity to think even for a while that the courts will be abolished in Part B States.

Our friend commented upon the salary that is paid to the President of India stating that the Congress Government is paying Rs. 10,000. We know that the Office of the President of India is the highest office and when we compare the salary of our President with the salaries paid to other Presidents of other countries, the salary of our President is far below than that of the Presidents of other countries. Therefore I say that the salary that our President is getting is the lowest and it is according to the existing condition of our people in the country. Therefore, let not our friend make unnecessary allegations which are not correct and are unwarranted in this connection.

The resolution moved before this House is quite appropriate and correct and I wholeheartedly welcome it.

Sri B. NARAYANASWAMY.—Sir, I want to speak on the point whether the Constitution Bill is to be ratified by this House or not. Towards that effect a resolution has been moved by the Hon'ble the Chief Minister. This was argued by the Leader of the Opposition and in a way by my friend. Sri Srinivasa Iyengar. It may be seen that this House is given an opportunity, as rightly put by my friend Sri K. Pattabhiraman in the beginning, that before the States Reorganisation Bill was introduced in the Parliament, the opinion of this House had been taken and afterwards it was passed by the Parliament and has become an Act. In pursuance of that enactment and to implement the various provisions of that Act, it is a concomitant result that this amendment is to be made. As such another opportunity has been given to us to express our opinion regarding the amendment to the Constitution in relation to the Act that has been passed by the Parliament. So far as the amendment to the Constitution is concerned, I do not see there is much force in some of the arguments that have been advanced by some of my friends. More so, it was amazing and very strange to hear my good lawyer friend Sri K. Pattabhiraman saying that Part B States should not be abolished. Sir, the whole State Reorganisation Act gives a go-by to Part B States and when Part B States are being extinguished it means to say that the High Courts in B States should go. And in another way such of the High Court Judges who are now presiding or serving in the several High Courts will also go. The section does not read like that. Sir, for the benefit of my friend who doubted on that point, I would like to read section 50 of the Reorganisation Act. It reads like this:

"As from the appointed day, the High Courts of all the existing Part B States, except Jammu and Kashmir, and the Courts of the Judicial Commissioners for Ajmer, Bhopal, Kutch and Vindhya Pradesh shall cease to function and are hereby abolished."

"Nothing in sub-section (1) shall prejudice or affect the continued operation of any notice served, injunction issued, direction given or proceedings taken before the appointed day by any of the courts abolished by that sub-section under the powers then conferred upon that court."

A more important clause is sub-section (3) of section 50 which reads:

"(3) Every such judge of a High Court abolished by sub-section (1) as the President after consultation with the Chief Justice of India may, by order made before the appointed day, specify, shall, as from that day, become a Judge, or if so specified, the Chief Justice of such High Court as the President may in that order specify."

So it is very clear that the very same High Court Judges or Chief Justices who are now serving in the several High Courts may continue, may be appointed again as Judges or Chief Justices of the several High Courts. So, that doubt that was expressed by some Hon'ble Members with regard to sereening is not substantiated. That is not borne out by section 50 (3). It should be understood that not only Sri K. Pattabhiraman—my good friend who is very anxious to protect the prestige and the honour of the Judges of the High Court of Mysore—but also the Members of this august House are very anxious to safeguard the prestige and the honour of the High Court Judges. It is not proper at this stage to comment upon the salaries of the High Court Judges because Parliament, after a good deal of deliberation and consideration, has arrived at the conclusion that the Judges in the reorganised States should get a particular salary,—that the Chief Justice should get Rs. 4,000 and the puisne Judges should get Rs. 3,500 As such it will smack as a sort of distaste if we speak something against the salaries of the High Court Judges. As a matter

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of fact, I am sure the House will agree with me that almost all the High Court Judges are efficient and are in no way inferior to any of the Part A State High Court Judges. Merely because there was a time when they were getting lesser salaries, it does not mean to say that they should not get higher salaries at least now. Whatever may be he ideology—we might have passed a resolution that no public servant should draw more than Rs. 1,000—perhaps in the present set-up, it will not be possible for us to follow that resolution. But so far as the amendment of the Constitution is concerned, there is nothing objectionable in it that any one of us should advance arguments against the amendment of the Constitution. These amendments have gone before the Joint Select Committee and they have been considered by both Houses of Parliament and then they have been sent to us and it is for us to ratify. I therefore wholeheartedly support the Resolution brought by the Hon'ble Chief Minister.

THANK YOU.

MR. SPEAKER.—The Hon'ble the Chief Minister may now reply.

*SRI KADIDAL MANJAPPA.—Mr. Speaker, Sir, I am constrained to observe that some Hon'ble Members have covered more ground than was warranted under the circumstances. I am sorry to say—I may say I am surprised—that my friend, Sri Imam took an unconstitutional attitude when he raised certain points. They have been effectively answered by my friend Sri Pattabhiraman. When a new State is formed or when the boundaries of that State are sought to be altered or changed or the name of the State is sought to be changed, the legislature concerned has to be consulted before introducing the Bill in the Parliament. When the Constitution is amended, the procedure is prescribed under artical 368. It is not necessary to ratify all the amendments. It is only in certain cases, that the amendments have to be ratified by the State Legislatures. The relevant section reads like this:

"368: An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President for his assent and upon such assent being given to the Bill, the Constitution shall stand amended in accordance with the terms of the Bill:

Provided that if such amendment seeks to make any change in—

(*a*) article 54, article 55, article 73, article 162 or article 241, or

(*b*) Chapter IV of Part V, Chapter V of Part VI, or Chapter I of Part XI, or

(*c*) any of the Lists in the Seventh Schedule, or

(*d*) the representation of States in Parliament, or

(*e*) the provisions of this article, the amendment shall also require to be ratified by the Legislatures of not less than one-half of the States specified in Parts A and B of the First Schedule by resolutions to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent."

It is a constitutional obligation for us to consider this resolution and give our views.

My friend Sri Imam has made several comments. He has said that there was no need to provide for the Ligislative Council in the States. Of course, in this country there is a difference of opinion regarding the question whether there should be the Upper House or not. The vast majority of our people think that it is necessary to have the Upper Houses at least for the time being.

As regards Sri Imam's criticism that the Judges should not have been permitted to practice, Sir, Judges especially of the High Court will have acquired vast experience and learning and it is much better that they are allowed to practice. It must be also pointed out that the Judges of the High Court are not permitted to practice in the High Court where they were judges.

As regards salaries of the Judges, Sri H.C. Linga Reddy has already pointed out that there is need for having uniform scales of pay especially in the High Courts. I agree with my friends when they said that there should not be too much disparity in the salaries of Government servants. That is a bigger question. The question of salaries has to be tackled at some stage or other. I am sure the occasion may arise for the appointment of a Pay Commission to go into the question of salaries. My personal view is this, that there is no need for anybody in this country to receive a salary of more than Rs. 1,500. But, as I submitted, thisi s a question which has to be tackled separately.

I agree with my friend Sri Pattabhiraman and others with regard to theisuggestion that the Judges of the High Court deserve better treatment. Sir, in this State and in some other Part B States, the High Courts have established good traditions and have maintained better standards and prestige and reputation. I am sure the Government of India and the Chief Justice of India will take into account what has been said in this House.

Sri H. C. Linga Reddy pointed out that this State ought to have been included in the Southern Zone. I know that on this question there is difference of opinion. Anyhow, there is an Act of Parliament. We will wait. If the Western Zone is not to our interest, if we come to that conclusion at a later stage, we can request the Government of India to suitably modify the Act.

Sri B. HUTCHE GOWDA.—As it is, what is the opinion of the Government regarding the Western Zone ?

Sri KADIDAL MANJAPPA.—To wait for some time and see how we will fare in the Western Zone.

Sri B. HUTCHE GOWDA.—So you have left it to fate.

Sri Kadidal MANJAPPA.—We have not left it to fate. We prefer to wait.

Sri Pattabhiraman has rightly observed that the new State has to be inaugurated in an atmosphere of goodwill and friendship. I entirely agree with him that the new State has to come into existence in an atmosphere of goodwill. So far as this Government is concerned, we will do our utmost to inaugurate the new State in a very happy and friendly atmosphere. Our beloved President has agreed to be here on the 1st of November to inaugurate the new State. We want to celebrate the inauguration in a very fitting manner.

Some of my friends referred to the provision which relates to the safeguards of the linguistic minorities. I do not know why they should find fault with that provision. The provision is there just with a view to safeguard the interests of the linguistic minorities. I am sure the State Governments, whether it is Mysore or any other State, will realise their responsibilities and implement the provisions to the advantage of the linguistic minority.

My friend Sri Srinivasa Iyengar has found fault with the Government for not placing a resolution in connection with the Sixth Amendment Bill. It is true that we were not in a position to place the Sixth Amendment Bill before the House. The Bill was passed in the Houses of Parliament on 29th May 1956. It was passed in the Council on 31st May 1956.

4-30 P.M.

The first communication we received was on 2nd June 1956. We received copies of the proceedings on 20th June 1956. We thought that we could place both the resolutions before this House during this session. But, unfortunately for us that Bill received the assent of the President on 11th September 1956. For reasons beyond our control we could not place the Sixth Amendment Bill before this Hon'ble House.

Sri Gopal Gowda referred to the incidents in Bombay and other places and was pleased to say that history will

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record the tyrannical rule of Congress. I am glad to say that histroy will record the glorious rule of the Congress.

Sri S. SRINIVASA IYENGAR.—Leaving behind Vidhana Soudha.

Sri Kadidal MANJAPPA.—Even if Sri Srinivasa Iyengar becomes the Chief Minister or Sri Gopala Gowda becomes the Chief Minister, they cannot prevent shooting or lathi charge or some ugly incidents here and there. It is all easy to say anything that pleases us when we are not having any responsibility. An organisation or a party which has not shouldered any responsibility can easily make comments of any kind. But when the same party comes to power then it will realise that it is not as easy as speaking or making comments.

I have nothing to add. This is a non-controversial resolution. I commed this for the approval of this House.

Mr. SPEAKER.—The question is.

"That this House ratifies the amendments proposed to be made to the Constitution of India by the Constitution (Seventh Amendment) Bill, 1956, as passed by the two Houses of Parliament."

The motion was adopted.

MYSORE KHADI AND VILLAGE INDUSTRIES BILL, 1956.

Select Committee report presented.

Sri A. G. RAMACHANDRA RAO.—Sir, the House will remember that it referred the Khadi and Village Industries Bill. to the Select Committee with a direction to give its report to day. I am laying the report on the Table. Hon'ble members will get copies of the report in course of the day.

MYSORE ESSENTIAL SERVICES MAINTENANCE (AMENDMENT) BILL, 1956.

Mr. SPEAKER.—Now we will take up the Essential Services Bill for consideration.

Sri A. G. RAMACHANDRA RAO.—Sir, yesterday alone I said that I want to carry the House with me with regard to the reasonableness and utility of the Bill and get it passed. Though we all represent the interest of the labour, there are persons who are directly interested in that question. I have already submitted that more than 50 per cent have agreed with the reasonableness and utility of the measures. I also want to carry with me others. Therefore, I submit, further discussion on this may be taken up later.

Mr. SPEAKER.—I have no objection.

THE MYSORE LEGISLATURE (PREVENTION OF DISQUALIFICATION) BILL, 1956.

Motion to consider

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—I move:

"That the Mysore Legislature (Prevention of Disqualification) Bill, 1956, as passed by the Legislative Council be taken into consideration."

Sir, this House is aware that till very recently the Life Insurance business was mostly carried on by private companies. A few States like Mysore also had a department of Insurance, but the bulk of business in the whole of India was in non-Governmental hands. But in 1956 an emergency Ordinance was passed nationalising Insurance business. Subsequently, it was enacted into law also. It is learnt that the business will come under a Corporation. But we are an are interval between the time that they belonged to non-Governmental business and the time that they would go to the Corporation. Now, according to the enactment most of the workers in the insurance line will become Government servants and their offices will become offices of profit. There are a large number of representatives from that business in the Legislature. In the Act, section 15 provides for exempting those who are